

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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**IN RE: PHARMACEUTICAL  
INDUSTRY AVERAGE  
WHOLESALE PRICE LITIGATION**

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This Document Relates to:  
**ALL ACTIONS**

MDL NO. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

**MOTION FOR LEAVE TO FILE A SHORT RESPONSE TO LEAD CLASS  
COUNSEL'S OPPOSITION TO MARC EDELSON'S MOTION TO STAY CO-  
LEAD COUNSEL'S DISTRIBUTION OF FEES WITH REGARD TO THE CLASS  
SETTLEMENTS**

The undersigned Movant respectfully requests leave of this Honorable Court to file a short reply memorandum to Lead Class Counsel's Opposition to Marc Edelson's Motion to Stay Co-Lead Counsel's Distribution of Fees With Regard to the Class Settlements.

As grounds for the foregoing, Your Movant states as follows:

1. Local Rule 7.1 B(2) requires that additional papers, "whether in the form of a reply or otherwise, may be submitted only with leave of Court."
2. Lead Class Counsel's Opposition raises issues not addressed in this firm's opening Motion or Memorandum and those allegations misstate the agreements among Co-Lead Counsel.
3. Attached hereto as Exhibit "A" is Hoffman & Edelson, LLC's Reply to Lead Class Counsel's Opposition Motion to Stay Co-Lead Counsel's Distribution of Fees.

4. Attached hereto as Exhibit "B" is the Supplemental Declaration of Marc H. Edelson in Support of Hoffman & Edelson, LLC's Motion for a Stay of Co-Lead Counsel's Distribution of Fees.

**WHEREFORE**, the undersigned respectfully moves for permission to respond in the form of the Reply attached hereto.

By: /s/ Marc H. Edelson  
Marc H. Edelson  
HOFFMAN & EDELSON, LLC  
45 West Court Street  
Doylestown, PA 18901  
215-230-8043  
215-230-8735 (fax)

**CERTIFICATE OF SERVICE**

I hereby certify that on the 17<sup>th</sup> day of January, 2012 a true and correct copy of the foregoing Motion For Leave To File A Short Response To Lead Class Counsel's Opposition To Marc Edelson's Motion To Stay Co-Lead Counsel's Distribution Of Fees With Regard To The Class Settlements was served on all counsel of record by causing same to be posted electronically via CM/ECF.

By: /s/ Marc H. Edelson  
Marc H. Edelson  
HOFFMAN & EDELSON, LLC  
45 West Court Street  
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